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August 30, 2021

Hon. Analisa Torres
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York NY 10007

Re: Moran v. MTA Metro-North Railroad Company et al.
19-cv-3079(AT)(KHP)

Dear Judge Torres:

This office represents MTA Metro-North R.R. and the five individually named MTA police officers in this action seeking damages for an alleged violation of the Federal Employers' Liability Act and a deprivation of constitutional rights actionable under 42 U.S.C. § 1983.

I am writing on my behalf and on behalf of plaintiff's counsel, Mr. George Cahill, to request an extension of two weeks, from August 31 to September 14, 2021, in which to submit the parties' joint pretrial order and related pretrial submissions, as set forth in the Court's Individual Practices. The Court previously granted requests for extensions of time in which to file pre-trial documents on April 12, 2021 (Doc. No. 89) and on August 13, 2021 (Doc. No. 93).

The parties have exchanged multiple drafts of a proposed joint pretrial order and proposed jury instructions. The case involves multiple claims of liability including unlawful arrest, excessive force, failure to intervene, First Amendment retaliation, FELA negligence and FELA respondeat superior liability on an agency theory. The parties have differences as to how these claims, as well as defendants' affirmative defenses, should be presented to the jury in a manner that is balanced and not confusing. The parties intend to work diligently to resolve their differences, reserving for motions in limine only those points on which the parties cannot reach agreement despite best efforts.

For these reasons, the parties respectfully request that their application for a two-week extension of time, from August 31 to September 14, 2021, be granted.

Respectfully yours,

/s/_____
Steve S. Efron

SSE:s

GRANTED. By **September 14, 2021**, the parties shall submit their proposed joint pretrial order and related submissions.

SO ORDERED.

Dated: August 31, 2021
New York, New York


ANALISA TORRES
United States District Judge